

## Message Text

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ACTION EUR-12

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 4956

INFO AMEMBASSY BERN

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EO 11652: NA

TAGS: PGOV, SOCI, SPOP, AU, GW

SUBJECT: POLITICAL FALLOUT IN AUSTRIA OF FRG COURT

DECISION ON ABORTION

SUMMARY. KARLSRUHE DECISION ON ABORTION CAUSED IMMEDIATE  
POLITICAL FALLOUT IN AUSTRIA AS AUSTRIAN SUPPORTERS  
AND OPPONENTS OF ABORTION ON DEMAND SEIZED OPPORTUNITY  
TO REITERATE THEIR RESPECTIVE POSITIONS IN LIGHT  
OF DECISION. COMMENT BY SOCIALIST JUSTICE MINISTER  
SUGGESTING SOCIALISTS MIGHT TURN UPCOMING NATIONAL  
ELECTION CAMPAIGN INTO REFERENDUM ON ABORTION ISSUE  
GENERATED WARNINGS FROM OPPOSITION PARTIES  
AND CATHOLIC CHURCH LEADERS THAT THEY REGRETTED  
APPARENT SHIFT IN SOCIALIST POSITION, WHICH, IF TRUE,  
THEY WOULD BE FORCED TO FIRMLY COUNTER. SOCIALIST  
PARTY CHAIRMAN KREISKY MOVED QUICKLY TO DEFUSE GROWING  
CONTROVERSY BY STATING ON FEB. 27 THAT BROAA'S COMMENTS  
WERE INCORRECTLY INTERPRETED BY MEDIA AND THAT SOCIALISTS  
IN FACT OPPOSE HAVING EMOTIONAL ABORTION ISSUE INCLUDED  
IN ELECTION CAMPAIGN. END SUMMARY

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1. FRG KARLSRUHE DECISION ON ABORTION MADE POLITICAL WAVES IN NEIGHBORING AUSTRIA WHERE OPPONENTS OF SIMILAR SOCIALIST-SPONSORED LEGISLATION, EFFECTIVE JAN. 1, 1975, HAVE MOUNTED "AKTION LEBEN" CAMPAIGN FOR POPULAR REFERENDUM ON ISSUE, TO BE HELD SOMETIME AFTER FALL NATIONAL ELECTIONS. REACTION IN AUSTRIA TO KARLRUHE DECISION WAS IMMEDIATE, STRONG, AND AS COULD BE ANTICIPATED, PRETTY MUCH ALONG PARTY LINES. INITIAL COMMENT FROM GOA JUSTICE MINISTRY SPOKESMAN DESCRIBED KARLSRUHE DECISION AS GROSS VIOLATION OF POWERS OF DEMOCRATIC MAJORITY BY JUDICIAL BODY OUT OF TOUCH WITH SOCIAL REALITIES. OPPOSITION PARTIES AND RELIGIOUS GROUPS OPPOSING ABORTION ON DEMAND IN FIRST THREE MONTHS HAILED DECISION AS UPHOLDING BASIC PRINCIPLE OF RIGHT TO LIFE AND HUMAN RIGHTS AND ENCOURAGING TO THEM IN THEIR EFFORTS TO HAVE AUSTRIAN ABORTION LEGISLATION MODIFIED OR OVERTURNED.

2. IN COURSE OF TV DISCUSSION FEB. 25 OF KARLRUHE DECISION, JUSTICE MINISTER BRODA INDICATED SOCIALISTS WOULD TELL VOTERS IN UPCOMING CAMPAIGN FOR OCT. 5 NATIONAL ELECTIONS THAT PARTY HAS NO PLANS TO MODIFY ABORTION LAW. THIS COMMENT WAS IMMEDIATELY INTERPRETED BY OPPOSITION PARTIES AND MEDIA THAT SOCIALISTS, CONTRARY TO THEIR EARLIER ASSURANCES, WOULD TURN ELECTION INTO REFERENDUM ON ABORTION ISSUE.

3. AUSTRIA'S CARDINAL KOENIG, IN HIS INITIAL REACTION REGISTERED "SURPRISE AND SHOCK" OVER BRODA STATEMENT AND SUGGESTED THAT BISHOPS' COUNCIL WOULD HAVE TO DEAL WITH APPARENT SHIFT IN SOCIALIST POSITION ON ISSUE AT ITS NEXT MEETING IN EARLY APRIL. HE OBSERVED THAT CHURCH WAS RELUCTANT TO ENGAGE IN HEAD-ON CONFLICT WITH SOCIALIST GOVERNMENT BUT THAT SOCIALIST MOVE TO CONTEST ELECTIONS ON ABORTION ISSUE, IF TRUE, WOULD REQUIRE APPROPRIATE STRONG RESPONSE FROM CHURCH. STATEMENT BY OPPOSITION PEOPLE'S PARTY CHAIRMAN SCHLEINZER, FOLLOWING MEETING OF PARTY'S EXECUTIVE BOARD ON FEB. 27, WAS COINED IN SIMILAR HOPE-ITS-NOT-TRUE-BUT-IF-SO, WE-WILL-RESPOND-ACCORDINGLY LANGUAGE.

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4. SOCIALIST PARTY CHAIRMAN KREINSKY, FOLLOWING MEETING OF PARTY LEADERSHIP ON FEB. 27, INDICATED TO PRESS HE HAD NOT READ OR HEARD BRODA STATEMENT BUT HE FELT MEDIA REPORTING DID NOT ACCURATELY REFLECT MEANING OF BRODA'S COMMENT. HE ASSURED HIS INTERLOCUTORS THAT SOCIALISTS HAVE NO DESIRE TO HAVE ABORTION ISSUE INCLUDED IN ELECTION CAMPAIGN SINCE SUCH A MOVE WOULD IN HIS OPINION

ONLY GENERATE DEEP IDEOLOGICAL DIVISIONS AMONG POPULATION,  
A SITUATION WHICH SECULAR AND SPIRITUAL LEADERS IN  
AUSTRIA HAVE WORKED SO HARD SINCE 1945 TO OVERCOME.

5. COMMENT: ABORTION ISSUE IN AUSTRIA, WHICH CUTS  
ACROSS POLITICAL PARTY AND SOCIO-ECONOMIC LINES, IS  
STILL CAPABLE OF GENERATING INTENSE EMOTIONAL ENGAGEMENT  
AS EVIDENT FROM REACTION TO BRODA STATEMENT. SPEED  
WITH WHICH KREISKY MOVE TO DISAVOW ANY INTENTION OF  
SOCIALISTS TO INTRODUCE ABORTION ISSUE IN UPCOMING  
ELECTION CAMPAIGN ATTESTS TO EXTREME SENSITIVITY OF  
KREISKY'S POLITICAL ANTENNAE TO NECESSITY OF SOCIALISTS  
TO AVOID ENGAGING IN "KULTURKAMPF" SIMULTANEOUSLY WITH  
CHURCH AND OPPOSITION PARTIES ON SUCH A CONTROVERSIAL  
ISSUE. THIS CONSIDERATION OF SOCIALIST ELECTION STRATEGY  
IS PARTICULARLY APPLICABLE AT THIS TIME, SINCE LATEST  
POLITICAL POLLS IN AUSTRIA SUGGEST THT SOCIALISTS WILL  
NOT REPEAT 1971 VICTORY OF WINNING ABSOLUTE MAJORITY AND  
KREISKY THEREFORE MUST KEEP OPEN OPTION OF POSSIBLE  
COALITION WITH ONE OR OTHER OF TWO PARTIES CURRENTLY  
IN OPPOSITION. HUMES

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